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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,972	03/16/2004	Koichiro Hirabayashi	YAMAP0908US	2345

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EXAMINER

KLIMOWICZ, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,972

Applicant(s)

HIRABAYASHI ET AL

Examiner

William J. Klimowicz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-9 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US 2002/0176204 A1) in view of Kobayashi (US 6,172,841 B1).

As per claim 1, Saito et al. (US 2002/0176204 A1) discloses a magnetic recording and reproduction apparatus (1000), comprising: a cylinder (302) for recording information to and/or reproducing information from a magnetic tape (322) having a magnetic surface (surface that directly interfaces drum heads in order to magnetic reproduce therefrom) and a non-magnetic surface (surface opposite surface that directly interfaces drum heads in order to magnetic reproduce therefrom); a first chassis section (3000) having the cylinder (302) provided thereon; and at least three tape guide members (e.g., 321, 316a, 305b) including a first tape guide member (321), a second tape guide member (316a) and a third tape guide member (305b); wherein; the tape from the cassette (301) second chassis section is loaded between a first position and a second position; the first position is the position at which the information

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recording to and/or information reproduction from the magnetic tape (322) is possible (FIG. 2); the second position is the position at which the information recording to and/or information reproduction from the magnetic tape (322) is not possible (FIG. 1); when the cassette (301) is in the first position (FIG. 2), the supply reel (left side of cassette), the first tape guide member (321), the second tape guide member (316a), the third tape guide member (305a) and the cylinder (302) are arranged in this order, such that only the first tape guide member (321), the second tape guide member (316a) and the third tape guide member (305b) guide the magnetic tape (322) between the supply reel and the cylinder (302); and when the cassette is in the first position (FIG. 2), the first tape guide member (321) is in contact with the magnetic surface (see how tape winds around the guide (321) - it is the same side which faces the drum heads (302)), the second tape guide member (316a) is in contact with the non-magnetic surface, and the third tape guide member (305b) is in contact with the non-magnetic surface (see how tape winds around the guides (305b and 316a) - it is the opposite side of the tape which faces the drum heads (302)).

As per claim 1, Saito et al. (US 2002/0176204 A1) does not expressly disclose a second chassis section movable with respect to the first chassis section, on which a cassette accommodating a supply reel for supplying the magnetic tape is mountable.

It is known, however, that such loading-movable-second chassis (movable between a first position, which is the position at which information recording to and/or information reproduction from a magnetic tape is possible and a second position, which is the position at which the information recording to and/or information reproduction from the magnetic tape is not possible); for mounting cassettes thereon, are notoriously old and well known and ubiquitous in

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the art; as just an example, Kobayashi (US 6,172,841 B1) discloses an analogous type of tape cassette VTR recorder, wherein a conventional movable-second chassis for mounting a cassette thereon is provided in order to expressly reduce the entire size of the device, (movable between a first position, which is the position at which information recording to and/or information reproduction from a magnetic tape is possible and a second position, which is the position at which the information recording to and/or information reproduction from the magnetic tape is not possible - e.g., see COL. 1, lines 11-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the VTR apparatus of Saito et al. (US 2002/0176204 A1), with a second chassis, as taught by Kobayashi (US 6,172,841 B1).

The rationale is as follows: one of ordinary skill in the art would have been motivated to provide the VTR apparatus of Saito et al. (US 2002/0176204 A1), with a second chassis, as taught by Kobayashi (US 6,172,841 B1) “for the purpose of reducing its entire size” as espoused by Kobayashi (US 6,172,841 B1). See Kobayashi (US 6,172,841 B1) at COL. 1, lines 12-16.

Allowable Subject Matter

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 5-9 are currently allowed.

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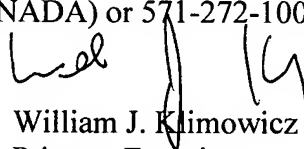
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


William J. Klimowicz
Primary Examiner
Art Unit 2627

WJK